

Appl. No. 09/976,310

REMARKS/ARGUMENTS

In the Office Action, claims 45 and 49 to 52 were rejected under 35 U.S.C. 102(e) as being anticipated by United States patent 6, 751,224 to Parruck.

However, Applicant respectfully submits that an essential element required for an anticipation rejection has not been met. In particular, the rejected claims include features that have not been disclosed in the referenced portions of the Parruck patent.

Considering first the rejected independent claim 45, this claim recites a switching device comprising a switch fabric and a multi-service segmentation and reassembly (MS-SAR) integrated circuit coupled to the switch fabric, with the MS-SAR being configurable such that the switch fabric can operate with either a cell-based switch fabric or a packet-based switch fabric.

According to the paragraph bridging pages 2 and 3 of the Office Action, the cited reference discloses in Figure 3 a switching device having a switch fabric and a SAR chip 302. The Office Action refers to both Figure 3 and column 7 lines 11 to 25 as disclosing that the SAR chip 302 is configurable such that the switch fabric can be either a cell-based switch fabric or a packet-based switch fabric. It is noted that the receive Utopia & POS-PHY interface 312 shown in Figure 3 of the cited reference has been characterized by the Examiner as the first bus interface recited in claim 1, and the receive POS-PHY interface 320 of Figure 3 of the cited reference has been characterized by the Examiner as the claimed second bus interface.

Although lines 11 to 25 of the cited reference describe the transmission of ATM cells and packets to the SAR chip 302 through the modified Utopia Bus 310 coupled to the receive Utopia and POS-PHY interface 312, the subsequent paragraph in column 7 of the cited reference clearly describes the receive POS-PHY interface 320 as receiving only packets. According to lines 29 to 39 of column 7, for example, ATM traffic is passed onto a reassembly engine 316 and a packet memory 318 for reassembly into packets, and the receive POS-PHY interface 320 thus directly receives packet traffic from the receive Utopia & POS-PHY interface 312 and reassembled

• Appl. No. 09/976,310

packets from the packet memory 318. The receive POS-PHY interface 320 sends packets onto an internal bus 322.

Therefore, although the SAR chip 302 can receive and process ATM data traffic and packet data traffic, the receive POS-PHY interface 320 receives and outputs only packets. The specific portion of the cited reference identified in the Office Action thus does not suggest a cell-based switch fabric.

The identified portion of the cited reference also fails to disclose that the SAR chip 302 is configurable. As noted above, the SAR chip 302 may be capable of processing both ATM data traffic and packet data traffic. The rejected claims, however, are directed to a switching device having an MS-SAR integrated circuit that is configurable for operation with either of a cell-based switch fabric or a packet-based switch fabric.

Although it is believed that independent claim 45 in its original form is not anticipated by the cited reference, this claim has been amended to more clearly recite the configurable MS-SAR integrated circuit feature, so as to advance the examination of the present application. As amended, claim 45 reads, in part, "the MS-SAR being configurable in either a first way for operation with a cell-based switch fabric as the switch fabric or a second way for operation with a packet-based switch fabric as the switch fabric". Figure 3 and the referenced portion of the Parruck patent do not disclose these features.

Rejected independent claim 49 recites the similar feature of an MS-SAR being configurable in a first way such that it can operate with a cell-based switch fabric, and configurable in a second way such that it can operate with a packet-based switch fabric. According to the claim, the MS-SAR is configured in the first way if the particular switch fabric to which it is coupled is a cell-based switch fabric, but in the second way if the particular switch fabric is a packet-based switch fabric.

Appl. No. 09/976,310

Independent claims 45 and 49 thus include features which have not been disclosed in the referenced portions of the Parruck patent. Claims 46 to 48 and 50 to 52 depend from claim 45 or claim 49, and accordingly, these dependent claims also include the above features.

Reconsideration and withdrawal of the anticipation rejections under 35 U.S.C. 102(e) are therefore respectfully requested.

The Office Action acknowledges on page 3 that claims 46 to 48 include allowable subject matter, and that claims 5 and 11 are allowed. As discussed in detail above, Applicant believes that claims 45 and 49 to 52 are also allowable.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action to this effect is earnestly solicited.

Respectfully submitted,

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